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OFFICE OF PETITIONS

In re Application of :
Juen-Kuen Lin et al. :
Application No. 09/741,072 : DECISION ON RENEWED PETITION
Filed: December 21, 2000 : PURSUANT TO
Attorney Docket Number: : 37 C.F.R. § 1.137(B)
200690US2CONT :
Title: WAFER POLISHING HEAD :
:

This is a decision on the renewed petition filed March 21, 2008, pursuant to 37 C.F.R. § 1.137(b)¹, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. § 1.113 in a timely manner to the final Office action mailed April 18, 2002, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. § 1.136(a) were obtained. Accordingly,

¹ A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

the above-identified application became abandoned on July 19, 2002. A notice of abandonment was mailed on December 3, 2002.

A petition pursuant to 37 C.F.R. § 1.181(a) was filed on January 23, 2006, to withdraw the holding of abandonment. This petition was dismissed via the mailing of a decision mailed on June 7, 2007.

A petition pursuant to Rule 1.137(b) was filed on August 1, 2007, which was dismissed via the mailing of a decision on January 22, 2008.

A grantable petition pursuant to 37 C.F.R. § 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in 37 C.F.R. § 1.20(d)) required pursuant to paragraph (d) of this section.

With this petition, Petitioner has submitted a Request for Continued Examination (RCE), along with the associated fee and a showing that the entire period of delay was unintentional. The RCE has been accepted as the required reply under 37 C.F.R. § 1.137(b)(1). The petition fee has been conveniently submitted, and a terminal disclaimer (disclaiming the entire period of abandonment) is not required.

As such, the first three requirements of Rule 1.137(b) have been met, and the fourth requirement is not applicable.

The application file is being forwarded to Technology Center 3700 for consideration of the submission under 37 C.F.R. § 1.114, the amendment filed on August 1, 2007.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225². All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

/Paul Shanoski/
Paul Shanoski
Senior Attorney
Office of Petitions

2 Petitioner will note that all practice before the Office should be in writing, and the action of the Office will be based exclusively on the written record in the Office. See 37 C.F.R. § 1.2. As such, Petitioner is reminded that no telephone discussion may be controlling or considered authority for Petitioner's further action(s).